



Atty. Dkt. No. 040302-0566

Itw #

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Fuminori SATOU
Title: SOLID OXIDE FUEL CELL
Appl. No.: 10/581,345
International Filing Date: 11/25/2004
371(c) Date: 06/02/06
Examiner: Alexander CHUANG
Art Unit: 1795
Confirmation Number: 5020

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop After Final
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The instant Information Disclosure Statement is being filed after the mailing date of either a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application. Accordingly, pursuant to 37 CFR §1.97(d), a statement and fee are required.

RELEVANCE OF EACH DOCUMENT

In a counterpart German application, an Office Action dated May 9, 2008, was received by Applicants. The German Patent Office made certain characterizations of the references. The disclosure of these characterizations should not be construed as an admission of or agreement to the opinions expressed in the German Office Action. A copy of the German Office Action is attached herewith.

Applicants wish to advise the Examiner that documents JP 60-227361, US 2002/0086200 and US 6,207,312, cited in the German Office Action were previously submitted in an Information Disclosure Statement dated June 1, 2006, and are not provided herewith.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

STATEMENT

The undersigned hereby states in accordance with 37 CFR §1.97(e)(1) that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to filing of this Statement.

FEE

A credit card payment form in the amount of \$180.00 is enclosed in accordance with 37 CFR §1.17(p) to cover the fee associated with an information disclosure statement under 37 CFR §1.97(d) in the amount of \$180.00.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this submission under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

By  _____

Date August 6, 2008

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